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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,898	11/20/2000	Tania Barthel	GR 99 P 1459	8146

7590 03/01/2004  
Lerner and Greenberg PA  
P O Box 2480  
Hollywood, FL 33022-2480

EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

24

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/716,898

**Applicant(s)**

BARTHEL ET AL.

**Examiner**

Thjuan P Knowlin

**Art Unit**

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redd, Jr. et al (US 5,467,388), in view of Dulman (US 5,915,008).
2. In regards to claim 1, 11, 12, and 13, Redd, Jr. discloses a method for implementing telecommunication services in a telecommunication network (Fig. 2), which comprises the steps of: initiating a telecommunication service due to an event which differs from a connection setting-up request from a subscriber (col. 5-6 lines 63-2 and col. 13 lines 29-64); signaling the virtual telephone number to a service provider, the service provider in turn indicating an occurrence of the event (col. 5 lines 63-65, col. 11-12 lines 52-1, col. 12 lines 21-41 and col. 16 lines 62-67); using a switching point (elements 11, 13, 15, and 17) to transmit the virtual telephone number from the service provider to initiate the telecommunication service after the occurrence of the event; and carrying out actions defined for the telecommunication service (col. 9 lines 21-42, col. 11 lines 35-48, and col. 13 lines 7-11). Redd, Jr., however, does not disclose generating a virtual telephone number in a service control point after activating the telecommunication service. Dulman, however, does disclose generating a virtual

telephone number in a service control point (SCP 28) after activating the telecommunication service (col. 8-9 lines 66-13, col. 9 lines 14-24, and col. 9 lines 39-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, within the system, generating a virtual telephone number in a service control point after activating the telecommunication service, as a way of storing the telecommunication service within a database for future access by a service provider.

3. In regards to claim 2, Redd, Jr. discloses the method, wherein the subscriber activates the telecommunication service so that the telecommunication service receives and processes the event that will initiate it (col. 12 lines 21-41 and lines 52-65).

4. In regards to claim 3, Redd, Jr. discloses the method, which comprises entering additional information during the activation of the telecommunication service, and the additional information is taken into account during an initiation of the telecommunication service (col. 12 lines 21-33).

5. In regards to claim 4, Redd, Jr. discloses the method, wherein the additional information contains telecommunications data relating to the subscriber, and leads to a transmission of further information to the subscriber during the subsequent actions by the telecommunication service (col. 12 lines 43-48).

6. In regards to claim 5, Redd, Jr. discloses the method, which comprises setting up at least one communication link by the telecommunication service once the telecommunication service has been initiated (col. 13 lines 7-9).

7. In regards to claim 6, Redd, Jr. discloses the method, wherein once the telecommunication service has been initiated at least one telecommunication subscriber

receives a notification from a data service via the telecommunication service (col. 13 lines 7-11).

8. Redd, Jr. discloses all of claims 9 and 10 limitations except the method, which comprises activating the telecommunication service simultaneously by more than one telecommunications subscriber. Redd, Jr., however, does disclose the method, which comprises activating the telecommunication service by one telecommunications subscriber (col. 5 lines 63-65). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ the method of activating the telecommunications service simultaneously by more than one telecommunications subscriber as a way of making the services/features available to anyone who wishes to do so or have the authorization to do so.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-6 and 9-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. White et al (US 5,933,490) teach an overload protection for on-demand access to the Internet that redirects calls from overloaded Internet service provider (ISP) to alternate Internet access provider.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin  
February 22, 2004

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

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